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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,672	03/31/2004	Jim Izudin Pilavdzic	213201.00205	4346

27160 7590 07/13/2005

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EXAMINER
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HOANG, TU BA

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/813,672

EXAMINER
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ART UNIT	PAPER
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20050707

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

see attached

Tu Ba Hoang  
Primary Examiner  
Art Unit: 3742

Art Unit: 3742

**Response to Amendment**

The reply filed on May 18, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

**Election/Restrictions**

The amendment set forth above canceling all claims (1-26) drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because newly submitted claims 27-61 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Group I (original), claims 1-26, drawn to an apparatus for heating a flowable material utilizing core having a passageway and an electric element coiled in multiple turns against the core in a helical pattern, classified in class 219/601.

Group II, claims 27-44 (new), drawn to an injection molding nozzle with metallic nozzle core configured to withstand pressure and alternating current heater device is in contact with the core, classified in class 219/229.

Group III, claims 45-52 (new), drawn to a molding machine heating apparatus with ferromagnetic core having its inside surface in contact with an ac heater, classified in class 219/209.

Group IV, claims 53-61 (new), drawn to an injection molding machine heater with an ac heater is configured to heat a core both inductively and conductively by the use of yoke elements, classified in class 219/635.

Inventions I and each one of II-IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each invention has separate utility as set forth above. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and the search required for one group may not be required for the other Groups and vice versa, and also as admitted by the Applicants (see the Remark on page 10 of the reply), "Applicants respectfully traverse the rejection (i.e., of the original claims) on the ground that **pending claims are patentably distinct** from the claim of the US 6,717,118 which is used to reject the original claim under 35USC 101" (emphasis added), restriction for examination purposes as indicated is proper and therefore is also made final. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

**Remark**

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits of the original claims 1-26. Accordingly, claims 27-61 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Ba Hoang whose telephone number is (571) 272-4780. The examiner can normally be reached on Mon-fri from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tu Ba Hoang  
Primary Examiner  
Art Unit 3742

July 07, 2005